

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

CHARLES MORROW and, MICHAEL )  
OVERTON, Individually and on behalf )  
of similarly situated employees, )

Plaintiffs, )

v. )

FLOWERS FOODS, INC., FLOWERS )  
BAKING CO. OF OPELIKA, LLC, )

Defendants. )

CASE NO: 3:07-cv-00617-MHT

**MOTION FOR ADMISSION *PRO HAC VICE***

Pursuant to Local Rule 83.1(b), Sandra B. Reiss of the law firm of Ogletree Deakins, Nash, Smoak & Stewart, P.C. hereby moves for the admission of Kevin P. Hishta to the bar of this Court *pro hac vice* in connection with the firm's representation of Defendants in this action. Attached hereto as Exhibit A is an affidavit of Kevin P. Hishta and Certificate of Good Standing from the Northern District of Georgia.

Respectfully submitted,

/s/Sandra B. Reiss

Sandra B. Reiss  
Alabama Bar No. ASB-3650-S80S  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
One Federal Place, Suite 1000  
1819 Fifth Avenue North  
Birmingham, Alabama 35203-2118  
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Ph. (205) 328-1900 Fax (205) 328-6000

*Counsel for Defendants, Flowers Foods, Inc. and  
Flowers Baking Co. of Opelika, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 10th day of August, 2007, I electronically filed the foregoing Motion For Admission *Pro Hac Vice* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Greg L. Davis, Esq.  
The Law Offices of Greg L. Davis  
6987 Halcyon Park Drive  
Montgomery, AL 36117

Joe R. Whatley, Jr., Esq.  
Whatley Drake & Kallas, LLC  
2001 Park Place North  
Suite 1000  
Birmingham, Alabama 35203

Joseph P. Guglielmo, Esq.  
Whatley Drake & Kallas, LLC  
1504 Broadway, 37<sup>th</sup> Floor  
New York, New York 10036

I hereby certify that a true and correct copy will be sent by First Class, U.S. Mail on this 10th day of August, 2007 to:

Amy Lynne Weaver  
Whatley Drake & Kallas, LLC  
2001 Park Place North  
Suite 1000  
Birmingham, Alabama 35203

E. Kirk Wood, Esq.  
Law Offices of Archie Lamb  
2017 2<sup>nd</sup> Avenue North  
Birmingham, Alabama 35201

/s/ Sandra B. Reiss  
Sandra B. Reiss

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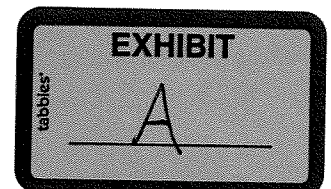
**AFFIDAVIT OF KEVIN P. HISHTA**  
**IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE***

STATE OF GEORGIA )  
COUNTY OF FULTON )

I, Kevin P. Hishta, having been duly sworn, hereby depose and state as follows:

1. I am Kevin P. Hishta, an attorney with the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., which is representing Defendants in this case.

2. I am a member in good standing of the Georgia Bar and was admitted to practice in all Courts in the State of Georgia, except the Supreme Court of Georgia and the Court of Appeals of Georgia, on November 12, 1982, State Bar No. 357410. I was subsequently admitted to the Supreme Court of Georgia and the Court of Appeals of Georgia on February 17, 1983. I was admitted to the Northern District of Georgia on December 13, 1982, the United States District Court for the Middle District of Georgia on August 27, 1998, and the Eleventh Circuit Court of Appeals on August 30, 1988.



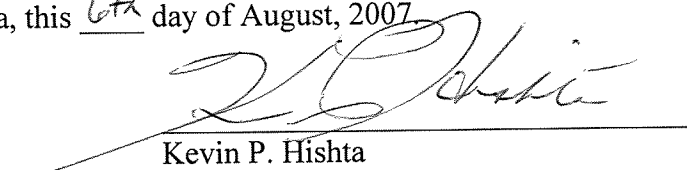
3. I am authorized to practice in and am in good standing with the Northern District of Georgia. A Certificate of Good Standing is attached hereto as Exhibit "1".

4. I am familiar with all rules and regulations governing proceedings in federal court, and certify that I have read and am familiar with the Uniform Local Rules of the United States District Court for the Middle District of Alabama.


5. I certify that I have studied the local rules and agree that, unless permitted to withdraw sooner by order of the Court, will continue to represent the Defendants in these proceedings until the final determination thereof.

6. I understand that, with reference to all matters incident to these proceedings, I will be deemed to have conferred disciplinary jurisdiction upon this Court for any alleged misconduct arising in the course of, or in preparation for, proceedings in this case.

Dated at Atlanta, Georgia, this 6<sup>th</sup> day of August, 2007.

  
Kevin P. Hishta

Subscribed and sworn to before me this 6<sup>th</sup> day of August, 2007.

  
Notary Public

My commission expires: Jan. 21, 2010



EXHIBIT 1

CERTIFICATE OF GOOD STANDING



## CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA                                 }  
  } ss.  
NORTHERN DISTRICT OF GEORGIA                         }

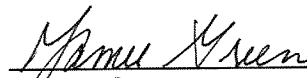
I, James N. Hatten, Clerk of the United States District Court for the Northern District of Georgia,

**DO HEREBY CERTIFY** that **KEVIN P. HISHTA , State Bar No. 357410**, was duly admitted to practice in said Court on December 13, 1982, and is in good standing as a member of the bar of said Court.

Dated at Atlanta, Georgia, this 3rd day of August, 2007.

JAMES N. HATTEN  
CLERK OF COURT

By:

  
\_\_\_\_\_  
Jamee Green  
Deputy Clerk

